



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

**2022 Comprehensive Plan & Zoning Text
Amendment Staff Report**

TO: Chelan County Planning Commission
FROM: Chelan County Community Development
HEARING DATE: October 26, 2022
FILE NUMBER: ZTA-22-420 / CPA-22-421
2022 Docket #5 (code and policy to facilitate a business incubator)

RECOMMENDED MOTION

The Chelan County Planning Commission may make a motion to recommend approval or denial of the proposed Comprehensive Plan Amendments and Development Regulation Text Amendments to the Chelan County Board of County Commissioners, pursuant to Chelan County Code Section 14.10.050. Suggested Findings of Fact and Conclusions of Law, which may be modified, are included in this staff report. Staff recommends:

- A. Move to recommend **approval** of the Comprehensive Plan Amendment and Development Regulation Text Amendments to provide policy and regulatory support to conditionally allow for the business incubator use on publicly-owned property in some zones, given file number 2022 Docket #5, based upon the findings of fact and conclusions of law contained within the October 26, 2022 staff report.

GENERAL INFORMATION

Applicant	Chelan County
Planning Commission Workshop	September 27 and 28, 2022
Planning Commission Notice of Hearing Published	October 12, 2022
Planning Commission Hearing on	October 26, 2022
60-day State agency review	Initiated: October 6, 2022
SEPA Determination	October 12, 2022

SEPA Environmental Review

A Determination of Non-Significance was issued under WAC 197-11-355 for ZTA-22-420 / CPA-22-421 (Docket #5) on October 12, 2022 (Attachment 1). The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). The decision was made after a review of a completed environmental checklist and other information on file with the lead agency.

Agency Comments:

None received to date. (If received prior to hearing, will be Attachment 2.)

Public Comment:

None received to date. (If received prior to hearing, will be Attachment 2.)

60-Day Notice:

Sent to Department of Commerce October 6, 2022. Letter of acknowledgement included as attachment 3.

PROJECT DESCRIPTION – ZTA-22-420 / CPA-22-421 (Docket #5)

Proposal: The Board of County Commissioners has requested text amendments to the Chelan County Comprehensive Plan and County Code to facilitate the creation of a business incubator on publicly owned property. This includes: 1) proposed amendments to the Chelan County Comprehensive Plan to create a new policy in direct support of allowing this use on publicly owned property, and 2) amendments to the Chelan County Code to define the business incubator use and the zoning and conditions under which this use may be permitted.

The proposed new Comprehensive Plan policy would be under “Goal ED 1: Encourage efforts to diversify the existing economic base to focus on long-term sustainable economic development throughout the County” and would read as follows:

“Policy ED 1.4: Allow the creation of business incubator uses on publicly owned property to support entrepreneurs and small businesses, with an emphasis on food and handcrafts.”

The proposed amendments to the Chelan County Code are as follows in red text:

Chapter 14.98**DEFINITIONS****14.98.337 Business Incubator**

“Business incubator” means a facility that provides shared space, such as offices, a commercial kitchen, and/or a food truck or market area, for entrepreneurs and small businesses to create and sell local products, such as food and handcrafts. A business incubator may also feature entrepreneurship education programming.

Chapter 11.04**11.04.020 District Use chart.**

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
COMMERCIAL USES													
Business Incubator	CUP	CUP	CUP	CUP	CUP	CUP	CUP				CUP		

Chapter 11.93

CONDITIONAL USE PERMITS

11.93.133 Business incubators.

The following minimum conditions shall apply to business incubators:

- (1) Business incubator uses shall be limited to publicly owned parcels equal to or greater than 10 acres in gross area, as measured by the zone standards.
- (2) All structures, temporary or permanent, that contain business incubator uses must be set back a minimum of 50 feet from all property lines, except on properties adjacent to commercial agricultural uses, where the setback shall be 100 feet from the property line.
- (3) The applicant shall submit a site design plan which addresses and mitigates, if necessary, the impacts of the facility. Such issues may include, but are not limited to, parking, noise, lighting, odor, drainage, critical areas, and traffic impacts. Review of permanent and temporary structures shall meet applicable building and fire code standards in CCC Title 3.
- (4) On-site retail must be outdoors and temporary in nature, such as portable food trucks or food booths. The facility may include a courtyard where live, non-amplified music may be permitted during events.
- (5) Business incubator uses shall operate on seasonal basis (April 1st through October 31st). Activities supporting business incubator uses may occur during other months where authorized by the County subject to Subsection (8).
- (6) Business incubator hours shall be limited to Thursday through Sunday, 9 am to 10 pm unless otherwise authorized by the County subject to Subsection (8).
- (7) Any business incubator use located in the AC zone must be an accessory use to agriculture and less than 1 acre in size inclusive of the temporary incubator spaces and parking, consistent with the requirements in RCW 36.70A.177.
- (8) The Director may authorize business incubator activities in alternative months, days, or hours of operation, if:
 - a. The business incubator activities size and location are compatible with planned or existing adjacent land uses.
 - b. Activities continue to be seasonal and temporary and would avoid or mitigate impacts addressed in Subsection (3).
 - c. Activities outside of standard periods support education, training, and organization of business incubators.

Commented [SH1]: Question for Deanna: Should we include anything restricting the types of products to be sold on site (for example, do they need to be items produced on-site or made from County produce)?

Commented [SH2]: Question for Deanna: Does this match the intent?

Discussion:

This proposal would conditionally allow the business incubator use in multiple zones. The proposed zones have the following intents, as detailed in CCC 11.06.020:

- RR20: Rural residential/resource: one dwelling unit per twenty acres
 - Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; small-scale recreational or tourist uses that rely on a rural location or setting, but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- RR10: Rural residential/resource: one dwelling unit per ten acres
 - Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide for job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.
- RR5: Rural residential/resource: one dwelling unit per five acres
 - Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing development or new development of small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.
- RR2.5: Rural residential/resource: one dwelling unit per 2.5 acres
 - Uses appropriate for these areas include: residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents; home occupations; bed and breakfasts; and community facilities.

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- RW: Rural waterfront
 - Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small-scale water-related/water-dependent recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- RRR: Rural recreational/residential
 - Uses appropriate for these areas include: open space and developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing development or new development of small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- RV: Rural village
 - Uses appropriate for these areas include: developed open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: intensification of existing small-scale recreational or tourist uses that rely on a rural location or setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- AC: Commercial agricultural lands
 - Uses appropriate for these areas include: agriculture; open space; residential; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small-scale recreational or tourist uses that rely upon a rural setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.

All of the above zoning designations describe “community facilities” as “uses appropriate for these areas.” A business incubator would be intended to serve a community function, as a shared community space and hub for entrepreneurship education programming on public property.

For context, the district use chart has the following regulations for comparable uses and uses with comparable impacts:

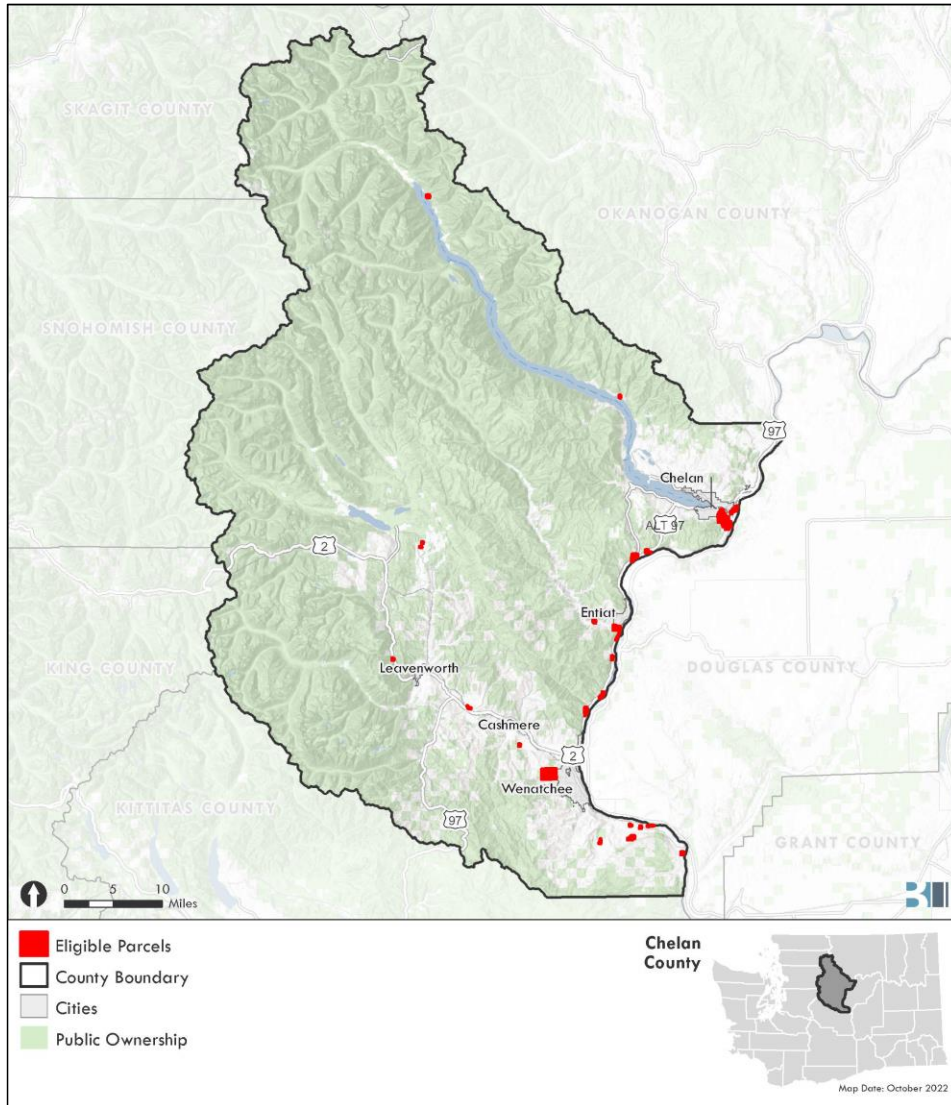
USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
AGRICULTURAL USES													
Accessory Uses That Support, Promote or Sustain Agricultural Operations	CUP	CUP	CUP	CUP							CUP		
Agricultural Support Services	CUP	CUP	CUP					P	P	CUP	CUP	P	CUP
Winery, Equal to or Less Than 1,500 sq. ft. of Retail Space	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	P	A(1)		P		
Winery, Greater Than 1,500 sq. ft. of Retail Space	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	CUP		CUP	CUP	
COMMERCIAL USES													
Agricultural Theme Market											CUP		
Neighborhood-Oriented Commercial								P					
Restaurants and Drinking Establishments								P					
Restaurants and Drinking Establishments, Less Than 5,000 sq. ft.								P					
RETAIL USES													
Retail Sales								P					
Retail Sales, Less Than 5,000 sq. ft.								P					
PUBLIC/GOVERNMENT USES													
Developed Open Space	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)		P(1)	
Educational Institutions, Public or Private					CUP	CUP	CUP	CUP	CUP	CUP	CUP		
SERVICE USES													
Food and Beverage Services	A	A	A	A	A	A	A						
Places of Public and Private Assembly	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P		CUP	CUP	CUP	

Certain non-residential uses, such as places of public and private assembly; developed open space; wineries; and accessory uses that support, promote or sustain Agricultural Operations; are already conditionally permitted in the RR zones. Educational institutions are currently conditionally permitted in the RW, RRR, RV, and AC zones (among other zones not included in this proposal).

Based on parcel data from 2020, 59 parcels greater than 10 acres in the allowed zones are owned by Chelan County, Chelan County PUD, Chelan County Public Works, the school districts, and the Port of Chelan County (see Exhibit 1). Note that this analysis does not include other land owned by the State of Washington; fire, school, hospital, road, or cemetery districts; or Chelan-Douglas Public Transportation, as this ownership is unlikely to be compatible with a business incubator use. Parcels owned by 501(3)(c) nonprofit organizations, such as Chelan-Douglas Land Trust or Malaga Coluckum Community Council, are also not included, as these are not considered “publicly owned.”

Commented [SH3]: Question for Deanna: What properties did Kevin Overbay have in mind in the Malaga area? Are they owned by the County or another entity?

Exhibit 1: Eligible Parcels for a Business Incubator Use



Business Incubator Examples

Several jurisdictions in Washington and other parts of the country have supported business incubators or similar uses:

- **Business Development Center (Kittitas County)** – The Business Development Center (BDC) is a community space in Cle Elum managed by the Kittitas County Chamber of Commerce. The BDC provides programs and workshops on business development for Kittitas County businesses. More information can be found at kittitascountychamber.com/business-development-center/.
- **Spice Bridge (Tukwila)** – Spice Bridge is a global food hall space and business incubator located in the Tukwila Village non-profit housing development. Spice Bridge was launched in 2020 to serve the needs of women of color and immigrant entrepreneurs in south King County. The business incubator program is operated by Food Innovation Network, a program of Global to Local, a SeaTac-based non-profit. It includes educational programming, connections to retail channels, and affordable commercial kitchen and kiosk space. The program also provides support with permitting, licensing, insurance, marketing, and business planning. Entrepreneurs participate in the program for a two-year period. More information can be found at spicebridge.org/join-the-incubator/.
- **Rutgers Food Innovation Center (Bridgeton, N.J.)** – The Rutgers Food Innovation Center (FIC) is a food business incubator located at Rutgers, a State University of New Jersey. The FIC provides mentoring, educational programming, and technical assistance to entrepreneurs and small food companies. More information can be found at foodinnovation.rutgers.edu/.
- **Union Kitchen (Washington, D.C.)** – The Union Kitchen incubator includes a central shared kitchen space and several retail outlets throughout Washington D.C., where participating businesses sell products such as soups, condiments, and candy. The Union Kitchen serves businesses at various stages of growth. More information can be found at unionkitchen.com/.

COMPREHENSIVE PLAN

Chelan County conducts an annual concurrent review of proposals to amend the Comprehensive Plan. The Plan represents the long-term vision for future land uses and development. Applicants must demonstrate the merits of the requested change as being consistent with adopted goals and policies.

The following Comprehensive Plan goals and policies are relevant to the request:

Goal LU 1: Residential designations shall provide for an adequate supply of land to accommodate the housing needs and strategies outlined by the comprehensive plan. Implementation regulations shall provide for a variety of residential opportunities to serve a full range of income levels.

Policy LU 1.2: Protect residential neighborhoods from impacts associated with incompatible land uses through application of development standards and permit conditioning.

Goal RE 2: Maintain natural environment features that support and enhance natural resource-based economic activities, wildlife habitats, traditional rural lifestyles, outdoor recreation, and open space.

Policy RE 2.2: Rural development should not preclude use of rural lands for agriculture and timber production and should avoid or mitigate impacts on existing agriculture or timber operations.

Policy RE 2.3: Ensure that rural development (residential, commercial and industrial) near designated resource lands occurs in a manner that minimizes potential conflicts and reduces conversion of farm and forest land to non-resource uses. Develop mitigating measures to provide adequate protection against potential conflicts

Goal ED 1: Encourage efforts to diversify the existing economic base to focus on long-term sustainable economic development throughout the County

Policy ED 1.1: Seek to attract businesses and industries that complement and build upon existing business and industry.

Policy ED 1.2: Incentivize development that creates local re-investment funds and provides jobs in the local community.

Goal ED 2: Encourage the retention and growth of recreational and tourist based industries consistent with the comprehensive plan.

Policy ED 2.1: Promote local tourism activities by developing brochures and media advertisements, and supporting local and self-contained events

Goal ED 3: Accommodate and support efforts to diversify the agricultural economy.

Policy ED 3.1: Strengthen and diversify the agricultural economy by promoting value-added agricultural activities.

Goal ED 4: Local economic development efforts should promote the advantages of working and living in Chelan County, such as availability of work, job security and stability, access to recreational and cultural activities, educational opportunities, quality health care, and affordable housing.

Policy ED 4.2: Encourage economic development efforts that invite broad community participation and address the needs, concerns, rights and resources of a diversity of cultural groups.

Policy ED 4.3: Foster a diverse private-sector job base that supports attractive wages and facilitates the

retention and expansion of existing businesses.

Policy ED 4.4: Support partnerships which expand vocational, post-secondary and higher education programs to promote a highly skilled, educated and a technically trained work force.

Goal ED 6: Establish a regulatory climate favorable for economic development.

Policy ED 6.2: Support development of tourism and recreational uses on both public and private lands.

REVIEW CRITERIA

The proposals were analyzed based on information provided by the applicant or when readily available, within existing County resources. While each application may or may not have met all the criteria, the applications must be weighed by their individual and collective impacts. Additionally, agency and public comment play a role in understanding potential impacts to surrounding land uses, impacts to rural character, and how the amendment may serve the general public's interest.

Pursuant to Chelan County Code (CCC) Section 14.13.040 and Section 14.14.047, the following review criteria were used to evaluate the proposed amendments:

1. *The proposal is necessary to address a public land use issue or problem; and [\(CCC 14.14.047\(1\)\)](#) (comprehensive plan text amendment)*

The amendment is necessary to resolve a public land issue or problem [\(CCC 14.13.040\(1\)\)](#) (code amendment)

Finding of Fact: There is no existing resource in Chelan County for entrepreneurs and small businesses to access shared office and kitchen facilities, educational programming, and seasonal market space. Such a space would create opportunities for small businesses, particularly food and handcrafts businesses, to grow and generate income and jobs. A business incubator would therefore strengthen the local economy, particularly the local food economy, and may also support tourism through seasonal product sales on-site. The proposed amendments would create policy support for and remove regulatory barriers to creating such a space on publicly owned land in the future.

Conclusion: The amendment is necessary to resolve a public land use issue or problem.

2. *The proposed amendment is consistent with the requirements of the Washington State Growth Management Act (Chapter 36.70A RCW as amended) and any applicable county-wide planning policies; and [\(CCC 14.14.047\(2\)\)](#) (comprehensive plan text amendment)*

The amendment is consistent with goals of the Growth Management Act, Chapter 36.70A RCW. [\(CCC 14.13.040\(2\)\)](#), (code amendment)

The amendment complies with or supports...county-wide planning policies. [\(CCC 14.13.040\(3\)\)](#) (code amendment)

Finding of Fact: RCW 36.70A.020 describes 13 planning goals to guide the adoption of comprehensive plans and development regulations for counties and cities planning under the Growth Management Act. These goals include, but are not limited to:

- (1) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas

experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The following policy from the Countywide Planning Policies is also relevant to this proposal:

CPP 7 VIII. Encourage the retention and growth of existing industries and businesses by promoting the establishment of commercial/industrial, research, and educational activities which support those industries and businesses.

This proposal intends to amend the comprehensive plan and development regulations to conditionally allow a business incubator use on publicly owned parcels over 10 acres in specific zones. A business incubator, if created, would help existing and new entrepreneurs and small businesses to develop by providing a space to create products and services and sell them locally. Such a facility may also include educational programming on entrepreneurship topics. It could also function as a seasonal hub for food trucks and stalls, which would serve the local community and tourists.

Conclusion: The proposal is consistent with the goals of the Growth Management Act and any applicable county-wide planning policies.

3. *The text amendment complies with or supports the comprehensive plan's goals and policies or how amendment of the plan's goals or policies is supported by changing conditions or state or federal mandates; and [\(CCC 14.14.047\(3\)\)](#) (comprehensive plan text amendment)*

The amendment complies with or supports comprehensive plan goals and policies... [\(CCC 14.13.040\(3\)\)](#) (code amendment)

Finding of Fact: The proposed amendments to the comprehensive plan and development regulations would support ED Goals 1, 3, 4, and 6 and ED Policies 1.1, 1.2, 2.1, 3.1, 4.2, 4.3, 4.4, and 6.2 by allowing for a business incubator use that would support the needs of entrepreneurs and small businesses. With an emphasis on food and crafts products, a business incubator could also contribute to a strong local food and artisan culture and provide space for seasonal events, which may strengthen Chelan County's agriculture and tourism industries. Any future construction related to a business incubator would be required to comply with Chelan County development regulations and critical areas code.

The proposed amendments would support LU Goal 1 and LU Policy 1.2 through the conditional use permit process, which, as proposed, would require mitigation of any impacts, wide setbacks, and limited facility hours. The amendments would also support RE Goal 2 and RE Policies 2.2 and 2.3 by requiring any business incubator use in the AC zone to be an accessory use to agriculture on less than one acre, per the requirements in RCW 36.70A.177.

Conclusion: The proposed amendments support the Chelan County comprehensive plan goals and policies.

4. *The amendment does not adversely affect lands designated as resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated; and* ([CCC 14.14.047\(4\)](#) (comprehensive plan text amendment) and [CCC 14.13.040\(4\)](#) (code amendment))

Finding of Fact: This amendment would conditionally allow the business incubator use on publicly owned parcels over 10 acres in the AC zone. As proposed, any business incubator use would have to be an accessory use to agriculture and would be required to comply with Growth Management Act requirements for accessory uses on agricultural land (RCW 36.70A.177). Also, per 2020 GIS data, only two eligible parcels are located in the AC zone.

Conclusion: This amendment does not adversely affect lands designated as resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated.

5. *The proposed text amendments to the Chelan County comprehensive plan would serve the interests of not only the applicant, but the public as a whole, including health, safety or welfare.* ([CCC 14.14.047\(5\)](#) (comprehensive plan text amendment))

The development regulation amendment is based on sound land use planning practices and would further the general public health, safety and welfare. ([CCC 14.13.040 \(5\)](#) (code amendment))

Finding of Fact: The applicant is Chelan County. The proposed Comprehensive Plan and Development Regulation Code amendments would serve the applicant's interest to create a regulatory framework in which a business incubator use could be implemented on publicly-owned land. This use is not expected to adversely affect public health, safety, or welfare, and proposed development standards would limit the size and scope of the activities to be compatible with the primary use of lands for public purposes and with surrounding uses. The implementation of a business incubator would benefit the general public by creating opportunities for residents to generate income and, depending on the types of businesses occupying the space, could also improve access to food and strengthen the local food economy. The provision of a commercial kitchen as part of a business incubator would also provide a sanitary space for small-scale food processing.

This proposal would conditionally allow the business incubator use in multiple zones with a wide range of possible surrounding land uses, such as single-family residential, agricultural, or commercial uses. Conditions for this use, including parcel size, setbacks, hours, and seasonality, are intended to minimize any negative noise, aesthetic, or traffic impacts of a business incubator use on surrounding land uses.

Conclusion: The proposed amendment serves the interests of both the applicant and the general public, including public health, safety, and welfare.

FINDINGS OF FACT

1. Chelan County adopted Title 14, Development Permit Procedures and Administration outlining provisions relating to the amendment of the Comprehensive Plan consistent with RCW 36.70A. The County followed the procedures required for amendment of the Comprehensive Plan.
2. Growth Management Act (RCW 36.70A), Chelan County Comprehensive Plan and Chelan County Code outline provisions relating to the adoption and amendments to the Comprehensive Plan. The County used the applicable guidelines and regulatory review criteria for each amendment.
3. RCW 36.70A.210 requires that the Comprehensive Plan be consistent with the provisions of the adopted County-Wide Planning Policies.
4. The requirements of RCW 43.21C, the State Environmental Policy Act, and WAC 197-11, SEPA Rules, have been satisfied. To comply with the requirements of the State Environmental Policy Act for environmental review of a non-project action, the County, as lead agency issued a Determination of Non-significance on October 12, 2022.
5. The required State agency review with the Department of Commerce (COM) and other State agencies initiated on October 6, 2022 (Attachment 3), pursuant to RCW 36.70A.106.
6. A request for a Comprehensive Plan Text Amendment and amendments to Chelan County Code was made by Chelan County to provide policy and regulatory support to conditionally allow a business incubator use on publicly owned parcels in some zones.

CONCLUSIONS OF LAW

1. The amendments to the Chelan County Comprehensive Plan are consistent with the requirements of the Growth Management Act (RCW 36.70A), Chelan County Comprehensive Plan and County-Wide Planning Policies.
2. The amendments are necessary to address a public land use issue or problem.
3. The amendments do not adversely affect designated resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated.
4. Reviewing agencies and the general public were given an opportunity to comment on the proposed amendments.
5. The amendments are consistent with Chelan County Code Title 14 Development Permit Procedures and Administration.
6. The requirements of RCW 43.21C, the State Environmental Policy Act and WAC 197-11 SEPA Rules have been satisfied.
7. The adoption of these amendments is in the best interest of the public and furthers the health, safety, and welfare of the citizens of Chelan County.

STAFF RECOMMENDATION

The Chelan County Planning Commission may make a motion to recommend approval or denial of the proposed Comprehensive Plan Amendments to the Chelan County Board of County Commissioners, pursuant to Chelan County Code Section 14.10.050. Suggested Findings of Fact and Conclusions of Law, which may be modified, are included in this staff report. Staff recommends:

- A. Move to recommend **approval** of the Comprehensive Plan Amendment and amendments to the Chelan County Code to provide policy and regulatory support to conditionally allow for the business incubator use on publicly-owned property in some zones, given file number 2022 Docket #5, based upon the findings of fact and conclusions of law contained within the October 26, 2022 staff report.

ATTACHMENTS

1. SEPA Determination, signed October 12, 2022
2. Agency and Public Comments (none at time of staff report issuance)
3. 60-day Review Acknowledgment Letter from WA Dept. of Commerce
4. File of Record